

AMENDED IN SENATE JUNE 16, 2010

AMENDED IN ASSEMBLY MAY 25, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1714

Introduced by Assembly Member Fuentes

February 2, 2010

An act relating to the payment of claims against the state, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1714, as amended, Fuentes. Claims against the state: payment.

Current law authorizes a procedure for the state to pay claims against the state.

This bill would appropriate *a total of \$1,098,000* to the Department of Justice from the General Fund ~~a total of \$1,098,000, and a total of \$392,000 to the Department of Justice from the Horse Racing Fund~~, to pay specific claims against the state. The bill would require that any appropriated funds in excess of the amount required to pay those claims revert to the ~~General Fund~~ *funds from which the appropriations are made*.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The sum of five hundred thirty-six thousand
2 dollars (\$536,000) is hereby appropriated from the General Fund
3 to the Department of Justice to pay the interim attorneys fee award
4 in *Humphries v. Lockyer, et al.*, Ninth Circuit Court of Appeals
5 Case No. 05-56467. Any funds appropriated in excess of the
6 amount required for the payment of this claim shall revert to the
7 General Fund on June 30 of the fiscal year in which the payment
8 is made.

9 SEC. 2. The sum of five hundred sixty-two thousand dollars
10 (\$562,000) is hereby appropriated from the General Fund to the
11 Department of Justice to pay the settlement in *Gardner, et al., v.*
12 *Schwarzenegger, et al.*, First District Court of Appeal Case No.
13 A125000, Alameda County Superior Court Case No. RG06278911.
14 Any funds appropriated in excess of the amount required for the
15 payment of this claim shall revert to the General Fund on June 30
16 of the fiscal year in which the payment is made.

17 SEC. 3. *The sum of three hundred ninety-two thousand dollars*
18 *(\$392,000) is hereby appropriated from the Horse Racing Fund*
19 *to the Department of Justice to pay the settlement in Berg v.*
20 *California Horse Racing Board, Superior Court of California,*
21 *County of Sacramento, Case No. 34-2008-00028104. Any funds*
22 *appropriated in excess of the amount required for payment of the*
23 *settlement and interest, if any, due at the time of payment shall*
24 *revert to the Horse Racing Fund on June 30 of the fiscal year in*
25 *which the payment is made.*

26 ~~SEC. 3.~~

27 SEC. 4. This act is an urgency statute necessary for the
28 immediate preservation of the public peace, health, or safety within
29 the meaning of Article IV of the Constitution and shall go into
30 immediate effect. The facts constituting the necessity are:

31 In order to pay claims against the state and end hardship to
32 claimants as quickly as possible, it is necessary that this bill go
33 into immediate effect.

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